
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

LORENZO MAGANA, #64570-019

versus

UNITED STATES OF AMERICA

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CIVIL ACTION NO. 4:17-CV-57
CRIMINAL ACTION NO. 4:13CR00014-001

ORDER OF DISMISSAL

The above-styled and numbered civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court.

It is accordingly **ORDERED** that the Final Judgment in *United States v. Magana*, Criminal Action No. 4:13CR00014-001, is **VACATED**, that the Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255 (#7) is **DISMISSED** without prejudice, and that the Clerk of Court shall re-enter the Final Judgment in *United States v. Magana*, Criminal Action No. 4:13CR00014-001. All motions by either party not previously ruled upon are **DENIED**. **Movant has fourteen (14) days from the re-entry of the judgment of conviction in which to file a notice of appeal under Rule 4(b)(4), Fed. R. App. P.**

Signed this date

Jul 15, 2019



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE